

ASSEMBLY BILL

No. 933

Introduced by Assembly Member Jeffries

February 22, 2007

An act to repeal Section 33101 of the Education Code, and to amend Sections 11550, 11552, 11553, 11554, 11555, 11556, 11563.7, 11564, 11565.5, 11569, and 12500 of, and to repeal Sections 8901, 8901.5, 8901.6, 11551, 11551.5, 11552.5, 12000, 12100, 12150, 12300, and 12400 of, the Government Code, relating to public employment.

LEGISLATIVE COUNSEL’S DIGEST

AB 933, as introduced, Jeffries. Exempt employee salaries.

Existing law provides for the salaries, benefits, and raises of various, exempt state employees, including the heads of various state agencies.

This bill would revise these provisions. The bill would also delete obsolete statutory provisions relating to the Governor, Members of the Legislature, and other statewide elected officers.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 33101 of the Education Code is repealed.
- 2 ~~33101. The annual salary of the Superintendent of Public~~
- 3 ~~Instruction is provided for by Chapter 6 of Part 1 of Division 3 of~~
- 4 ~~Title 2 of the Government Code.~~
- 5 SEC. 2. Section 8901 of the Government Code is repealed.
- 6 ~~8901. Commencing at noon on January 2, 1967, each Member~~
- 7 ~~of the Legislature shall receive, as a salary for his or her services,~~

1 the amount of sixteen thousand dollars (\$16,000) per year, during
2 the term for which he or she was elected, payable in equal monthly
3 amounts.

4 Commencing at noon on January 4, 1971, the annual salary
5 provided by this section shall be increased to nineteen thousand
6 two hundred dollars (\$19,200).

7 Commencing at noon on December 2, 1974, the annual salary
8 provided by this section shall be increased to twenty-one thousand
9 one hundred twenty dollars (\$21,120).

10 Commencing at noon on December 6, 1976, the annual salary
11 provided by this section shall be increased to twenty-three thousand
12 two hundred thirty-two dollars (\$23,232).

13 Commencing at noon on December 4, 1978, the annual salary
14 provided by this section shall be increased to twenty-five thousand
15 five hundred fifty-five dollars (\$25,555).

16 Commencing at noon on December 1, 1980, the annual salary
17 provided by this section shall be increased to twenty-eight thousand
18 one hundred ten dollars (\$28,110).

19 Commencing at noon on December 3, 1984, the annual salary
20 provided by this section shall be increased to thirty-three thousand
21 seven hundred thirty-two dollars (\$33,732).

22 Commencing at noon on December 1, 1986, the annual salary
23 provided by this section shall be increased to thirty-seven thousand
24 one hundred five dollars (\$37,105).

25 Commencing at noon on December 5, 1988, the annual salary
26 provided by this section shall be increased to forty thousand eight
27 hundred sixteen dollars (\$40,816).

28 Commencing at noon on December 3, 1990, the annual salary
29 provided by this section shall be increased to forty-four thousand
30 eight hundred ninety-eight dollars (\$44,898).

31 SEC. 3. Section 8901.5 of the Government Code is repealed.

32 8901.5. Each Member of the Legislature may elect to receive
33 one or more employee benefits, as prescribed by concurrent
34 resolution heretofore or hereafter adopted, in lieu of a portion of
35 the salary provided by Section 8901. The portion of the salary
36 allocated to the payment of the benefits shall be deemed to be
37 "compensation" for the purposes of Section 9350.6.

38 SEC. 4. Section 8901.6 of the Government Code is repealed.

39 8901.6. Notwithstanding Section 8901.5, each Member of the
40 Legislature shall be entitled to receive the same health care, dental

1 ~~care, and other similar benefits which are available to other state~~
2 ~~officers and employees.~~

3 SEC. 5. Section 11550 of the Government Code is amended
4 to read:

5 11550. (a) Effective January 1, 1988, an annual salary of
6 ninety-one thousand fifty-four dollars (\$91,054) shall be paid to
7 each of the following:

8 ~~(a)~~

9 (1) Director of Finance.

10 ~~(b)~~

11 (2) Secretary of Business, Transportation and Housing.

12 ~~(c)~~

13 (3) Secretary of *the* Resources Agency.

14 ~~(d)~~

15 (4) Secretary of *California* Health and Human Services.

16 ~~(e)~~

17 (5) Secretary of State and Consumer Services.

18 ~~(f)~~

19 (6) Commissioner of the California Highway Patrol.

20 ~~(g) Secretary of the Youth and Adult Correctional Agency.~~

21 (7) *Secretary of the Department of Corrections and*
22 *Rehabilitation.*

23 ~~(h)~~

24 (8) Secretary of Food and Agriculture.

25 ~~(i) Secretary of Technology, Trade, and Commerce.~~

26 ~~(j)~~

27 (9) Secretary of Veterans Affairs.

28 ~~(k)~~

29 (10) Secretary of Labor and Workforce Development.

30 (b) The annual compensation provided by this section shall be
31 increased in any fiscal year in which a general salary increase is
32 provided for state employees. The amount of the increase provided
33 by this section shall be comparable to, but shall not exceed, the
34 percentage of the general salary increases provided for state
35 employees during that fiscal year.

36 SEC. 6. Section 11551 of the Government Code is repealed.

37 ~~11551. Effective January 5, 1987, an annual salary of~~
38 ~~eighty-five thousand dollars (\$85,000) shall be paid to the~~
39 ~~Governor.~~

1 ~~Upon the commencement of each new term, the annual~~
2 ~~compensation provided by this section shall be increased based~~
3 ~~on the cost-of-living increases provided for state employees over~~
4 ~~the previous four years. The amount of the increase provided by~~
5 ~~this section shall be determined by multiplying the then current~~
6 ~~compensation by the combination of percentages of the general~~
7 ~~cost-of-living increases provided for state employees for the four~~
8 ~~previous fiscal years.~~

9 SEC. 7. Section 11551.5 of the Government Code is repealed.

10 ~~11551.5. Effective January 5, 1987, an annual salary of~~
11 ~~seventy-seven thousand five hundred dollars (\$77,500) shall be~~
12 ~~paid to the Attorney General.~~

13 ~~Upon the commencement of each new term, the annual~~
14 ~~compensation provided by this section shall be increased based~~
15 ~~on the cost-of-living increases provided for state employees over~~
16 ~~the previous four years. The amount of the increase provided by~~
17 ~~this section shall be determined by multiplying the then current~~
18 ~~compensation by the combination of percentages of the general~~
19 ~~cost-of-living increases provided for state employees for the four~~
20 ~~previous fiscal years.~~

21 SEC. 8. Section 11552 of the Government Code is amended
22 to read:

23 11552. (a) Effective January 1, 1988, an annual salary of
24 eighty-five thousand four hundred two dollars (\$85,402) shall be
25 paid to each of the following:

26 (a)

27 (1) Commissioner of Financial Institutions.

28 (b)

29 (2) Commissioner of Corporations.

30 ~~(e) Insurance Commissioner.~~

31 ~~(d)~~

32 (3) Director of Transportation.

33 (e)

34 (4) Real Estate Commissioner.

35 (f)

36 (5) Director of Social Services.

37 ~~(g)~~

38 (6) Director of Water Resources.

39 ~~(h)~~

- 1 (7) Chief Deputy Secretary for Adult Operations of the
2 Department of Corrections and Rehabilitation.
3 ~~(i)~~
- 4 (8) Director of General Services.
5 ~~(j)~~
- 6 (9) Director of Motor Vehicles.
7 ~~(k)~~
- 8 (10) Chief Deputy Secretary for Juvenile Justice in the
9 Department of Corrections and Rehabilitation.
10 ~~(l)~~
- 11 (11) Executive Officer of the Franchise Tax Board.
12 ~~(m)~~
- 13 (12) Director of Employment Development.
14 ~~(n)~~
- 15 (13) Director of Alcoholic Beverage Control.
16 ~~(o)~~
- 17 (14) Director of Housing and Community Development.
18 ~~(p)~~
- 19 (15) Director of Alcohol and Drug ~~Abuse~~ *Programs*.
20 ~~(q)~~
- 21 (16) Director of ~~the Office of~~ Statewide Health Planning and
22 Development.
23 ~~(r)~~
- 24 (17) Director of the Department of Personnel Administration.
25 ~~(s) Chairperson and Member of the Board of Equalization.~~
- 26 ~~(t) Secretary of Technology, Trade, and Commerce.~~
27 ~~(u)~~
- 28 (18) State Director of Health Services.
29 ~~(v)~~
- 30 (19) Director of Mental Health.
31 ~~(w)~~
- 32 (20) Director of Developmental Services.
33 ~~(x)~~
- 34 (21) State Public Defender.
35 ~~(y)~~
- 36 (22) Director of the California State Lottery.
37 ~~(z)~~
- 38 (23) Director of Fish and Game.
39 ~~(aa)~~
- 40 (24) Director of Parks and Recreation.

1 ~~(ab)~~
2 (25) Director of Rehabilitation.
3 ~~(ac) Director~~
4 (26) *Secretary of Veterans Affairs.*
5 ~~(ad)~~
6 (27) Director of Consumer Affairs.
7 ~~(ae)~~
8 (28) Director of Forestry and Fire Protection.
9 ~~(af)~~
10 (29) The Inspector General pursuant to Section 6125 of the
11 Penal Code.
12 ~~(ag)~~
13 (30) Director of Child Support Services.
14 ~~(ah)~~
15 (31) Director of Industrial Relations.
16 ~~(ai)~~
17 (32) Chief Deputy Secretary for Adult Programs in the
18 Department of Corrections and Rehabilitation.
19 (33) *Director of Toxic Substances Control.*
20 (34) *Director of Pesticide Regulation.*
21 (35) *Director of Managed Health Care.*
22 (36) *Director of Environmental Health Hazard Assessment.*
23 (b) The annual compensation provided by this section shall be
24 increased in any fiscal year in which a general salary increase is
25 provided for state employees. The amount of the increase provided
26 by this section shall be comparable to, but shall not exceed, the
27 percentage of the general salary increases provided for state
28 employees during that fiscal year.
29 SEC. 9. Section 11552.5 of the Government Code is repealed.
30 ~~11552.5. Effective January 5, 1987, an annual salary of~~
31 ~~seventy-two thousand five hundred dollars (\$72,500) shall be paid~~
32 ~~to each of the following:~~
33 ~~(a) Lieutenant Governor.~~
34 ~~(b) Secretary of State.~~
35 ~~(c) Controller.~~
36 ~~(d) Treasurer.~~
37 ~~(e) Superintendent of Public Instruction.~~
38 ~~Upon the commencement of each new term, the annual~~
39 ~~compensation provided by this section shall be increased based~~
40 ~~on the cost-of-living increases provided for state employees over~~

1 the previous four years. The amount of the increase provided by
2 this section, shall be determined by multiplying the then current
3 compensation by the combination of percentages of the general
4 cost-of-living increases provided for state employees for the four
5 previous fiscal years.

6 SEC. 10. Section 11553 of the Government Code is amended
7 to read:

8 11553. (a) Effective January 1, 1988, an annual salary of
9 eighty-one thousand six hundred thirty-five dollars (\$81,635) shall
10 be paid to each of the following:

11 (a)
12 (1) Chairperson of the Unemployment Insurance Appeals Board.

13 (b)
14 (2) Chairperson of the Agricultural Labor Relations Board.

15 (c)
16 (3) President of the Public Utilities Commission.

17 (d)
18 (4) Chairperson of the Fair Political Practices Commission.

19 (e)
20 (5) Chairperson of the Energy Resources Conservation and
21 Development Commission.

22 (f)
23 (6) Chairperson of the Public Employment Relations Board.

24 (g)
25 (7) Chairperson of the Workers' Compensation Appeals Board.

26 (h)
27 (8) Administrative Director of the Division of Industrial
28 Accidents.

29 (i)
30 (9) Chairperson of the State Water Resources Control Board.

31 (j)
32 (10) Chairperson and each member of the California Integrated
33 Waste Management Board.

34 (b) The annual compensation provided by this section shall be
35 increased in any fiscal year in which a general salary increase is
36 provided for state employees. The amount of the increase provided
37 by this section shall be comparable to, but shall not exceed, the
38 percentage of the general salary increases provided for state
39 employees during that fiscal year.

(c) Notwithstanding subdivision (b), any salary increase is subject to Section 11565.5.

SEC. 11. Section 11554 of the Government Code is amended to read:

11554. (a) Effective January 1, 1988, an annual salary of seventy-five thousand three hundred fifty-four dollars (\$75,354) shall be paid to each of the following:

(a)

(1) Director of Conservation.

(b)

(2) Director of ~~the Department of Economic Opportunity~~ *Community Services and Development*.

(c)

(3) State Architect.

(d)

(4) Director of Fair Employment and Housing.

(e)

(5) Director of the Office of Emergency Services.

(f)

(6) Director of the *California* Department of Aging.

(g)

(7) State Fire Marshal.

(h) ~~Director of Trade and Commerce.~~

(b) The annual compensation provided by this section shall be increased in any fiscal year in which a general salary increase is provided for state employees. The amount of the increase provided by this section shall be comparable to, but shall not exceed, the percentage of the general salary increases provided for state employees during that fiscal year.

SEC. 12. Section 11555 of the Government Code is amended to read:

11555. (a) Effective January 1, 1988, an annual salary of seventy-one thousand five hundred eighty-seven dollars (\$71,587) shall be paid to the following:

(a)

(1) Chairperson of the Board of ~~Prison Terms~~ *Parole Hearings*.

(b) ~~Chairperson of the Youthful Offender Parole Board.~~

(c)

(2) Chairperson of the Occupational Safety and Health Appeals Board.

1 (b) The annual compensation provided by this section shall be
2 increased in any fiscal year in which a general salary increase is
3 provided for state employees. The amount of the increase provided
4 by this section shall be comparable to, but shall not exceed, the
5 percentage of the general salary increases provided for state
6 employees during that fiscal year.

7 (c) *Notwithstanding subdivision (b), any salary increase is*
8 *subject to Section 11565.5.*

9 SEC. 13. Section 11556 of the Government Code is amended
10 to read:

11 11556. (a) Effective January 1, 1988, an annual salary of
12 sixty-nine thousand seventy-six dollars (\$69,076) shall be paid to
13 each of the following:

14 ~~(a) Member~~

15 ~~(1) Commissioner of the Board of Prison Terms Parole~~
16 ~~Hearings.~~

17 ~~(b) Member of the Youthful Offender Parole Board.~~

18 ~~(c)~~

19 (2) Member of the Occupational Safety and Health Appeals
20 Board.

21 ~~(d)~~

22 (3) Director of Boating and Waterways.

23 (b) The annual compensation provided by this section shall be
24 increased in any fiscal year in which a general salary increase is
25 provided for state employees. The amount of the increase provided
26 by this section shall be comparable to, but shall not exceed, the
27 percentage of the general salary increases provided for state
28 employees during that fiscal year.

29 (c) *Notwithstanding subdivision (b), any salary increase is*
30 *subject to Section 11565.5.*

31 SEC. 14. Section 11563.7 of the Government Code is amended
32 to read:

33 11563.7. (a) Effective January 1, 1988, an annual salary of
34 twenty-five thousand one hundred eighteen dollars (\$25,118) shall
35 be paid to each member of the State Personnel Board.

36 (b) The annual compensation provided by this section shall be
37 increased in any fiscal year in which a general salary increase is
38 provided for state employees. The amount of the increase provided
39 by this section shall be comparable to, but shall not exceed, the

1 percentage of the general salary increases provided for state
2 employees during that fiscal year.

3 *(c) Notwithstanding subdivision (b), any salary increase is*
4 *subject to Section 11565.5.*

5 SEC. 15. Section 11564 of the Government Code is amended
6 to read:

7 11564. (a) Effective January 1, 1988, an annual salary of
8 twenty-five thousand one hundred eighteen dollars (\$25,118) shall
9 be paid to each member of the State Air Resources Board, provided
10 each member devotes a minimum of 60 hours per month to state
11 board work. The salary shall be reduced proportionately if less
12 than 60 hours per month is devoted to state board work.

13 (b) The annual compensation provided by this section shall be
14 increased in any fiscal year in which a general salary increase is
15 provided for state employees. The amount of the increase provided
16 by this section shall be comparable to, but shall not exceed, the
17 percentage of the general salary increases provided for state
18 employees during that fiscal year.

19 *(c) Notwithstanding subdivision (b), any salary increase is*
20 *subject to Section 11565.5.*

21 SEC. 16. Section 11565.5 of the Government Code is amended
22 to read:

23 11565.5. Notwithstanding Sections 11553, 11553.5, 11555,
24 11556, ~~11560, 11563.1~~, 11563.7, and 11564, with respect to any
25 salary increase made after January 1, 1997, for nonelected members
26 of state boards and commissions specified in Sections 11553,
27 11553.5, 11555, 11556, ~~11560, 11563.1~~, 11563.7, and 11564, the
28 annual compensation provided by these sections shall not
29 automatically increase but may be increased in any fiscal year in
30 which there is a general increase in the salary ranges and rates for
31 state civil service classifications. The amount of the increase, as
32 determined by the Department of Personnel Administration and
33 subject to the appropriation of funds by the Legislature in the
34 annual Budget Act, shall not exceed the percentage of the general
35 increase in the salary rates and ranges for classifications provided
36 during that fiscal year for state employees designated as
37 managerial.

38 SEC. 17. Section 11569 of the Government Code is amended
39 to read:

1 11569. Notwithstanding the foregoing provisions of this chapter
2 or of any statute specifying the salary to be paid to any state officer,
3 in any fiscal year for which the Legislature appropriates additional
4 funds to augment the salaries paid to state officers whose salaries
5 are specified by statute, each such statutory salary for ~~such~~ *that*
6 fiscal year shall be the amount so specified plus an amount which
7 constitutes an equal percentage increase for each ~~such~~ officer. No
8 such increase shall be paid to any officer whose salary is subject
9 to ~~Section 8901 or~~ Section 68203 of the Government Code. If any
10 constitutional provision prevents ~~such~~ *an* increase during the term
11 of office of a position, the increase shall not become operative as
12 to ~~such~~ *that* position before the commencement of the next
13 succeeding term of office, as provided in Section 11567.

14 The secretaries and other personnel of the Governor appointed
15 pursuant to Section 12001 shall be regarded as state officers for
16 purposes of determining the salaries of state officers pursuant to
17 this section and the Governor may fix the salary of each ~~such~~
18 person at an amount not to exceed the maximum for such position
19 set forth in Section 12001 plus a percentage equal to the increase
20 authorized for statutory salaries under this section.

21 SEC. 18. Section 12000 of the Government Code is repealed.

22 ~~12000. The Governor shall receive the salary provided for by~~
23 ~~Chapter 6 (commencing with Section 11550) of Part 1 of Division~~
24 ~~3 of Title 2.~~

25 SEC. 19. Section 12100 of the Government Code is repealed.

26 ~~12100. The annual salary of the Lieutenant Governor is~~
27 ~~provided for by Chapter 6 (commencing with Section 11550) of~~
28 ~~Part 1.~~

29 SEC. 20. Section 12150 of the Government Code is repealed.

30 ~~12150. The annual salary of the Secretary of State is provided~~
31 ~~for by Chapter 6 (commencing with Section 11550) of Part 1.~~

32 SEC. 21. Section 12300 of the Government Code is repealed.

33 ~~12300. The annual salary of the State Treasurer is provided~~
34 ~~for by Chapter 6 (commencing with Section 11550) of Part 1.~~

35 SEC. 22. Section 12400 of the Government Code is repealed.

36 ~~12400. The annual salary of the Controller is provided for by~~
37 ~~Chapter 6 (commencing with Section 11550) of Part 1.~~

38 SEC. 23. Section 12500 of the Government Code is amended
39 to read:

1 12500. The Attorney General shall receive the salary provided
2 for by Chapter 6 (commencing with Section 11550) of Part 1 of
3 Division 3 of Title 2. The annual salary of the Attorney General
4 includes all services rendered ex officio as member of any board
5 or commission.

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